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SURFACE RIGHTS BOARD

20TH ANNUAL REPORT

1991

Alberta
SURFACE RIGHTS BOARD

The Honourable Shirley McClellan
Associate Minister of Agriculture
Room 126, Legislature Building
EDMONTON, Alberta
T5K 2B6

Madam:

I have the privilege to submit to you the Twentieth Annual Report of the Surface Rights Board for the calendar year of 1991.

Your Board has continued the policy of making ourselves available to the public or any organization.

This year we were requested by the Canadian Association of Petroleum Landmen to put on a seminar on the operations and procedures of the Board. We are hopeful that this will be an annual event and will assist those in the field and in support positions by enabling them to be more efficient. We have also continued our meetings with the Farmer's Advocate and members of the agriculture, petroleum and power industries, as well as the general public.

The number of Orders issued in 1991 totalled 2520, the breakdown of which is as follows:

Right of Entry:	Mineral Recovery	106
	Power Transmission Lines	0
	Pipelines	40
	Coal	0
	SUBTOTAL	146
Compensation		57
Termination		80
Rescission		36
Amending		1092
Partial Termination		8
Varying Rate of Compensation		744
Consent Compensation		68
Damages		2
Varying Rate of Compensation and Amending		291
TOTAL		2520

Respectfully submitted.

C. J. (Cec) Purves
Chairman

STATEMENT 1

SURFACE RIGHTS BOARD

SUMMARY OF APPLICATIONS UNDER THE SURFACE RIGHTS ACT FOR RIGHT OF ENTRY FOR OIL AND GAS dealt with in 1991

	CROWN	PRIVATE	TOTAL
APPLICATIONS:			
Carried over from previous year	11	22	33
Received during the year	16	103	119
	27	125	152
APPLICATIONS DISPOSED OF:			
Right of Entry granted			
- compensation determined	6	47	53
- settled independently of Board	7	5	12
No Right of Entry granted			
- application withdrawn	6	0	6
- settled privately	1	7	8
	20	59	79
APPLICATIONS OUTSTANDING:	7	66	73

STATEMENT 2

SURFACE RIGHTS BOARD

SUMMARY OF APPLICATIONS UNDER THE SURFACE RIGHTS ACT FOR RIGHT OF ENTRY FOR PIPELINES dealt with in 1991

	CROWN	PRIVATE	TOTAL
APPLICATIONS:			
Carried over from previous year	4	54	58
Received during the year	6	39	45
	10	93	103
APPLICATIONS DISPOSED OF:			
Right of Entry granted			
- compensation determined	4	65	69
- settled independently of Board	2	18	20
No Right of Entry granted			
- application withdrawn	0	0	0
- settled privately	2	5	7
	8	88	96
APPLICATIONS OUTSTANDING:	2	5	7

SURFACE RIGHTS BOARD

SUMMARY OF APPLICATIONS UNDER THE SURFACE RIGHTS ACT FOR RIGHT OF ENTRY FOR POWER TRANSMISSION LINES dealt with in 1991

	CROWN	PRIVATE	TOTAL
APPLICATIONS:			
Carried over from previous year	0	1	1
Received during the year	0	0	0
	0	1	1
APPLICATIONS DISPOSED OF:			
Right of Entry granted			
- compensation determined	0	1	1
- settled independently of Board	0	0	0
No Right of Entry granted			
- application withdrawn	0	0	0
- settled privately	0	0	0
	0	1	1
APPLICATIONS OUTSTANDING:	0	0	0

STATEMENT 4

SURFACE RIGHTS BOARD

SUMMARY OF APPLICATIONS UNDER THE SURFACE RIGHTS ACT FOR ALL APPLICATIONS FOR RIGHT OF ENTRY dealt with in 1991

	CROWN	PRIVATE	TOTAL
APPLICATIONS:			
Carried over from previous year	15	77	92
Received during the year	22	142	164
	37	219	256
APPLICATIONS DISPOSED OF:			
Right of Entry granted			
- compensation determined	10	113	123
- settled independently of Board	9	23	32
No Right of Entry granted			
- application withdrawn	6	0	6
- settled privately	3	12	15
	28	148	176
APPLICATIONS OUTSTANDING:	9	71	80

SURFACE RIGHTS BOARD

SUMMARY OF APPLICATIONS UNDER THE SURFACE RIGHTS ACT FOR TERMINATION OF RIGHT OF ENTRY IN FULL dealt with in 1991

APPLICATIONS RECEIVED:	
Carried over from previous year	3
Received during the year	84
	87
APPLICATIONS DISPOSED OF:	
Request for termination granted	81
Request for termination withdrawn	2
	83
APPLICATIONS OUTSTANDING:	4

STATEMENT 6

SURFACE RIGHTS BOARD

SUMMARY OF APPLICATIONS UNDER THE SURFACE RIGHTS ACT
FOR TERMINATION IN PART OF RIGHT OF ENTRY
dealt with in 1991

APPLICATIONS RECEIVED:

Carried over from previous year	1
Received during the year	10
	11

APPLICATIONS DISPOSED OF:

Request for termination in part granted	9
Request for termination in part withdrawn	2
	11

APPLICATIONS OUTSTANDING: 0

SURFACE RIGHTS BOARD

SUMMARY OF RATE OF COMPENSATION REVIEWS PURSUANT TO SECTION 27 OF THE SURFACE RIGHTS ACT dealt with in 1991

APPLICATIONS RECEIVED:

Carried over from previous year	42
Received during the year	40
	82

APPLICATIONS DISPOSED OF:

Heard and compensation determined	39
Settled independently of Board	17
Withdrawn	9
Rejected - lack of jurisdiction	0
	65

APPLICATIONS OUTSTANDING: 17

SURFACE RIGHTS BOARD

SUMMARY OF SETTLEMENTS OF DISPUTES PURSUANT TO SECTION 33 OF THE SURFACE RIGHTS ACT dealt with in 1991

APPLICATIONS RECEIVED:

Carried over from previous year	1
Received during the year	4
	5

APPLICATIONS DISPOSED OF:

Heard and compensation determined	2
Settled independently of Board	1
Withdrawn	0
Rejected - lack of jurisdiction	0
	3

APPLICATIONS OUTSTANDING: 2

SURFACE RIGHTS BOARD

SUMMARY OF ALL APPLICATIONS FOR RECOVERY OF RENTAL PURSUANT TO SECTION 39 OF THE SURFACE RIGHTS ACT dealt with in 1991

APPLICATIONS RECEIVED:	
Carried over from previous year	40
Received during the year	236
	276
APPLICATIONS DISPOSED OF:	
Completed:	
Paid by Provincial Treasurer	156
Paid by Operator	31
Rejected - lack of jurisdiction	1
Discontinued	2
	190
APPLICATIONS OUTSTANDING:	86

STATEMENT 10

SURFACE RIGHTS BOARD

SUMMARY OF BOARD HEARINGS DURING 1991

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTALS
NO. OF APPLICATIONS SCHEDULED	52	58	23	20	20	18	14	18	21	77	14	12	347
NO. OF APPLICATIONS RESCHEDULED	10	8	0	3	1	0	4	6	1	7	1	2	43
NO. OF APPLICATIONS SETTLED	8	32	3	6	7	6	2	2	7	54	2	2	131
NO. OF APPLICATIONS ADJOURNED	0	0	0	0	0	0	0	0	0	0	0	0	0
NO. OF APPLICATIONS POSTPONED	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	18	40	3	9	8	6	6	8	8	61	3	4	174
NO. OF APPLICATIONS HEARD AND COMPLETED													
Mineral Recovery	3	5	5	3	5	7	4	2	2	8	4	1	49
Pipelines	12	10	10	5	4	3	1	8	6	7	1	3	70
Power Transmission Lines	1	0	0	0	0	0	0	0	0	0	0	0	1
Objections	0	0	0	0	0	0	0	0	0	0	0	0	0
Damages	6	0	0	0	0	1	0	0	0	0	1	0	8
Reviews	11	3	5	3	3	1	3	0	5	1	2	4	41
Costs	0	0	0	0	0	0	0	0	0	0	0	0	0
Inquiries	0	0	0	0	0	0	0	0	0	0	0	0	0
Coal Mines	0	0	0	0	0	0	0	0	0	0	0	0	0
Expropriation	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	1	0	1	0	0	0	0	0	0	0	3	0	4
TOTALS	34	18	20	11	12	12	8	10	13	16	11	8	173

STATEMENT 11

SURFACE RIGHTS BOARD

1991 APPEALS

Outstanding appeals prior to year end of 1984	2
Outstanding appeals filed in the year of 1985	3
Outstanding appeals filed in the year of 1988	5
Outstanding appeals filed in the year of 1989	1
Outstanding appeals filed in the year of 1990	23
Appeals received during the year of 1991	22
TOTAL APPEALS CARRIED OVER AND RECEIVED DURING 1990	56

LESS: Appeals Abandoned, Settled or Withdrawn in 1991

On appeals filed prior to the year of 1985	2
On appeals filed in the year of 1985	2
On appeals filed in the year of 1988	3
On appeals filed in the year of 1990	17
SUBTOTAL	24

LESS: Court action in 1991

Heard: Board's award upheld or confirmed

On appeals filed in the year of 1990	3
On appeals filed in the year of 1991	7

Heard: Board's award decreased

On appeals filed in the year of 1985	1
On appeals filed in the year of 1990	1

Heard: Board's award increased

On appeals filed in the year of 1990	6
SUBTOTAL	18

TOTAL APPEALS OUTSTANDING AT 1991 YEAR END	14